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**UNITED STATES DISTRICT COURT**  
**CENTRAL DISTRICT OF CALIFORNIA**

SUZY DEMPSEY,  
Plaintiff,

vs.

SEARS HOME IMPROVEMENT  
PRODUCTS; SEARS HOLDINGS  
CORPORATION; SEARS; SEARS  
HOLDINGS; MICHAEL FINGER;  
DANIEL IANIELLO; JERRY  
HANOSH AND DOES 1 TO 100,  
and DOES 1 to 100, inclusive,  
Defendants.

CASE NO.: CV 15-799-GW(JEMx)  
**The Honorable George H. Wu**

**ORDER GRANTING JOINT  
STIPULATION TO REMAND CASE  
TO STATE COURT**

**ORDER**

Upon full considerations of the Joint Stipulation to Remand Case to State Court, and for good cause shown, the Court hereby orders that:

1. Defendant SHC is dismissed without prejudice. Plaintiff can bring SHC back into this Action without any assertion, by defendants, of a statute of limitations defense or any other defenses applicable to bring SHC back in this Action.

2. Based on the representation by defense counsel that defendants “Sears Holdings” and “Sears” are not real entities, said entities are dismissed without prejudice. Plaintiff can bring said entities back into this Action without any assertion of a statute of limitations defense or any other defenses applicable to bring such entities back in this Action.

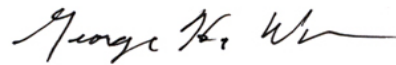
3. All the named individual defendants, Michael Finger, Daniel Ianiello, and Jerry Hanosh, are dismissed with prejudice.

4. Defendants have agreed to a remand of the instant Action to state court. The Clerk of the Court is directed to close this action and remand this case to the Los Angeles County Superior Court, Central District. Defendants have agreed not to remove this Action back to federal court once all named individual defendants, Michael Finger, Daniel Ianiello, and Jerry Hanosh, have been dismissed.

5. Each party shall bear their own costs and fees associated with the federal proceedings. No party shall be deemed the prevailing party.

IT IS SO ORDERED.

Dated: March 10, 2015



Honorable George H. Wu  
United States District Judge

**DEMPSEY V. SEARS, ETC.**

**USDC NO.: 2:15-cv-00799-GW (JEMx)**

**PROOF OF SERVICE**

**STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

I am an employee in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 225 Santa Monica Boulevard, Suite 700, Santa Monica, California 90401.

On March 11, 2015, I served the foregoing document, described as “[PROPOSED] ORDER GRANTING JOINT STIPULATION TO REMAND CASE TO STATE COURT,” on all interested parties in this action by placing a true copy thereof in a sealed envelope, addressed as follows:

**Jon G. Miller  
Muizz K. Rafique  
LITTLER MENDELSON, P.C.  
2050 Main Street  
Suite 900  
Irvine, CA 92614  
Facsimile: (949) 721-1201**

☒ **(BY NOTICE OF ELECTRONIC FILING)** The above-listed counsel have consented to electronic serve and have been automatically served by the Notice of Electronic Filing, which is automatically generated by CM/ECF at the time said document was filed, and which constitutes service pursuant to FRCP 5(b)(2)(D).

☒ **(FEDERAL)** I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made. I declare, under penalty of perjury under the laws of the United States of America, that the above is true and correct.

Executed on March 11, 2015, at Los Angeles, California.

/s/ Jennifer M. Yang  
Jennifer M. Yang